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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/970,724	10/03/2001	Marc Owerfeldt	SUNMP025	1256
25920	7590	11/05/2004	EXAMINER	
MARTINE & PENILLA, LLP 710 LAKEWAY DRIVE SUITE 170 SUNNYVALE, CA 94085			COLLINS, SCOTT M	
			ART UNIT	PAPER NUMBER
			2145	

DATE MAILED: 11/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/970,724	OWERFELDT ET AL.
	Examiner	Art Unit
	Scott M. Collins	2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
 THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 13 October 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some *
 - c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-20 examined.
2. It is hereby acknowledged that the following papers have been received and placed of record in the file: Change in Power of Attorney on 02/07/2002.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by RFC 1889.
5. Referring to claim 1, RFC 1889 has taught a transport-independent real-time transport protocol (RTP) stack (RFC 1889 abstract and section 1), comprising:
 - a. a transport-independent tasks module, wherein the transport-independent tasks module includes methods that are independent of an underlying transport layer (RFC 1889 abstract and section 1); and
 - b. a connector module in communication with the transport-independent module, wherein the connector module includes methods that are dependent on the underlying transport layer (RFC 1889 section 10).
6. Referring to claims 2 and 3, RFC 1889 has taught the transport-independent RTP stack wherein the connector module includes data input and output methods which are utilized by the transport-independent tasks module to communicate with the underlying transport layer (RFC 1889 section 3, definitions of port, transport address, RTP session, Synchronization source, and contributing source; and section 10).

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7. Referring to claims 4 and 5, RFC 1889 has taught the transport-independent RTP stack wherein the data input and output methods include an RTP input or output stream method that returns an RTP input or output stream to a calling method, respectively (RFC 1889 section 7.1, definitions of translator and mixer).

8. Referring to claims 6 and 7, RFC 1889 has taught the transport-independent RTP stack wherein the data input and output methods include a real-time transport control protocol (RTCP) input or output stream method that returns an RTCP input or output stream to a calling method, respectively (RFC 1889 section 6.2, paragraphs 1-4).

9. Referring to claim 8, RFC 1889 has taught A real-time transport protocol (RTP) connector module (RFC 1889 abstract and section 1), comprising:

- a. an RTP output stream method that returns an RTP output stream to a calling method (RFC 1889 section 7.1, definitions of translator and mixer);
- b. an RTP input stream method that returns an RTP input stream to a calling method (RFC 1889 section 7.1, definitions of translator and mixer);
- c. a real-time transport control protocol (RTCP) output stream method that returns an RTCP output stream to a calling method (RFC 1889 section 6.2, paragraphs 1-4); and
- d. an RTCP input stream method that returns an RTCP input stream to a calling method (RFC 1889 section 6.2, paragraphs 1-4).

10. Referring to claims 9 and 10, RFC 1889 has taught the RTP connector module wherein the RTP connector module generates transport-independent input/output streams and provide access to a particular type of underlying transport layer. (RFC 1889 section 3, definitions of port, transport address, RTP session, Synchronization source, and contributing source; and section 10).

11. Referring to claims 11 and 12, RFC 1889 has taught the RTP connector module wherein the RTP connector module is in communication with a transport-independent tasks module, wherein the transport-independent tasks module includes methods that are independent of the underlying transport layer and processes the transport-independent input/output streams using transport-independent operations (RFC 1889 abstract; section 3, definitions of port, transport address, RTP session, Synchronization source, and contributing source; and section 10).

12. Referring to claim 13, RFC 1889 has taught the transport-independent real-time transport protocol (RTP) stack (RFC 1889 abstract and section 1), comprising:

a. a transport-independent tasks module having an RTP transmitter module and an RTP receiver module, wherein the RTP transmitter module and the RTP receiver module are independent of a first underlying transport layer (RFC 1889 abstract and section 1);

and

b. a connector module having an RTP output stream method in communication with the RTP transmitter module, and an RTP input stream method in communication with the RTP receiver module, wherein the RTP output stream method and the RTP input stream provide access to the first underlying transport layer (RFC 1889 section 7.1, definitions of translator and mixer; and section 10).

13. Referring to claims 14 and 18, RFC 1889 has taught the transport-independent RTP stack wherein the RTP output stream method returns an RTP output stream to the RTP transmitter module (RFC 1889 section 7.1, definitions of translator and mixer).

14. Referring to claims 15 and 19, RFC 1889 has taught the transport-independent RTP stack wherein the RTP input stream method returns an RTP input stream to the RTP receiver module (RFC 1889 section 7.1, definitions of translator and mixer).

15. Referring to claims 16 and 17, RFC 1889 has taught the transport-independent RTP stack wherein the transport-independent tasks module further includes a real-time transport control protocol (RTCP) transmitter module and an RTCP receiver module which are independent of the first underlying transport layer (RFC 1889 abstract; section 1; and section 6.2, paragraphs 1-4).

16. Referring to claim 20, RFC 1889 has taught the transport-independent RTP stack wherein the connector module can be modified to operate utilizing a second underlying transport without modifying the transport-independent tasks module (RFC 1889 abstract; section 1; section 3, definitions of port, transport address, RTP session, Synchronization source, and contributing source; section 6.2, paragraphs 1-4; section 7.1, definitions of translator and mixer; and section 10).

Conclusion

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Bushmitch et al. U.S. Patent Number 6,275,471
- b. Falco et al. U.S. Patent Number 6,687,752
- c. Ami et al. U.S. Patent Number 5,828,898
- d. Kim et al. U.S. Patent Application Publication US2002/0065886 A1

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott M. Collins whose telephone number is 571.272.3934. The examiner can normally be reached on Mon.-Fri. 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 571.272.3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

smc
October 28, 2004

William C. Vaughn Jr.
Primary Examiner
Art Unit 2143
William C. Vaughn, Jr.